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Attorneys for Plaintiff,  
OWEN DIAZ

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

OWEN DIAZ,  
Plaintiff,  
v.  
TESLA, INC. dba TESLA MOTORS, INC.;  
Defendant.

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Case No. 3:17-cv-06748-WHO

**JOINT STIPULATION REGARDING  
SCHEDULE AND PROCEDURES FOR  
POST-TRIAL MOTION FOR  
ATTORNEY'S FEES; [PROPOSED]  
ORDER**

Trial Date: March 27, 2023  
Judgment Entered: April 12, 2023

**TO THE HONORABLE COURT, ALL PARTIES AND THEIR ATTORNEYS OF  
RECORD:**

Pursuant to Civil Local Rules 6-2, 7-12, and 54-5, Plaintiff Owen Diaz (“Plaintiff”) and Defendant Tesla, Inc. (“Defendant”), by and through their attorneys of record, hereby submit this Joint Stipulation Regarding Schedule for Plaintiff’s Motion for Attorney’s Fees.

**WHEREAS**, on April 11, 2023, the Court entered Judgment in this matter following a verdict in a jury trial (Dkt. 417) that triggered the deadlines for the parties to file various post-trial motions;

**WHEREAS**, Plaintiff intends to file a motion for attorneys’ fees and expenses pursuant to 42 U.S.C. § 1988 and Cal. Code Civ. Pro. § 1021.5;

**WHEREAS**, Plaintiff filed a motion for mistrial (Dkt. 453), Defendant filed a motion under Federal Rules of Civil Procedure 50(a) (Dkt. 454), and the parties anticipate filing additional post-trial motions within 28 days of entry of judgment;

**WHEREAS**, the Parties have met and conferred and agree that the interests of judicial economy would be served by continuing Plaintiff’s deadline to file his motion for attorney’s fees and expenses until 14 days after the Court has ruled on all of the parties’ pending and upcoming post-trial motions.

**NOW THEREFORE**, it is hereby stipulated, by and between the parties, that Plaintiff shall have 14 days after the Court has ruled on the last of the parties’ pending and post-trial motions to file a motion for statutory attorneys’ fees and expenses.

**IT IS SO STIPULATED.**

CALIFORNIA CIVIL RIGHTS LAW GROUP  
ALEXANDER MORRISON + FEHR LLP

DATED: April 17, 2023

By: /s/ Cimone A. Nunley

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Attorneys for Plaintiff  
OWEN DIAZ

DATED: April 17, 2023

QUINN EMANUEL URQUHART & SULLIVAN, LLP

By /s Daniel C. Posner

Kathleen M. Sullivan  
Daniel C. Posner  
Mari Henderson  
Asher Griffin  
Attorneys for Defendant  
TESLA, INC.

**[PROPOSED] ORDER**

Based upon the Parties' Stipulation, and good cause having been shown, **IT IS HEREBY ORDERED THAT:**

(1) Plaintiff's deadline to file any motion for attorney's fees pursuant to 42 U.S.C. § 1988 shall be 14 days after the Court rules on the last of the parties' anticipated post-trial briefing.

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

Dated: \_\_\_\_\_, 2023

Hon. William H. Orrick

**DECLARATION OF CONSENT**

Pursuant to Civil Local Rule 5-1(i)(3) regarding signatures, I attest under penalty of perjury that I obtained concurrence in the filing of this document from above-listed counsel for Defendant Tesla, Inc., which shall serve in lieu of their signature on the document.

Dated: April 17, 2023

By: /s/ Cimone A. Nunley  
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